

UNITED STATES OF AMERICA  
WESTERN DISTRICT OF MICHIGAN

UNITED STATES OF AMERICA,

Plaintiff,

v.

Case No. **23-cr-00040-004**

Hon. Jane M. Beckering

VINCENT BROWN,

Defendant.

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**MOTION TO FILE PORTIONS OF SENTENCING MEMORANDUM  
UNDER RESTRICTED ACCESS**

NOW COMES VINCENT BROWN, defendant herein, by and through his attorney, Mark J. Kriger, and respectfully moves this Court for the entry of an Order allowing him to file certain portions of his sentencing memorandum under restricted access, and in support of said motion says as follows:

1. Defendant is scheduled to be sentenced upon his plea-based conviction for violation of 18 U.S.C. § 371 on October 18, 2023.

2. Undersigned counsel intends to file a sentencing memorandum on defendant's behalf, in order to assist the Court in forming a fuller and fairer picture of the defendant, and to aid it in reaching the fairest possible sentencing decision.

3. As written, certain brief portions of the memorandum - less than two of 36 pages - and one exhibit, a letter from Mr. Brown's therapist, contains protected or

confidential information and sensitive personal data, which, if revealed to the public in general might be harmful to the defendant or his family.

4. Accordingly, undersigned counsel seeks leave of the Court to file the submission as a whole as a public submission, but to redact from that document those portions containing confidential information and sensitive personal data, and to file an unredacted version of the memorandum, containing all the information, under restricted access.

5. Pursuant to L.Cr.R. 12.4, a Certificate of Compliance with that Rule is being separately filed contemporaneously herewith.

WHEREFORE, defendant respectfully prays that this Court enter of an Order allowing him to file certain portions of his sentencing memorandum under restricted access, as hereinabove set forth.

Respectfully submitted,

s/Mark J. Kriger  
Attorney for Vincent Brown  
LARENE & KRIGER, P.L.C.  
645 Griswold Street, Suite 1717  
Detroit, Michigan 48226  
(313) 967-0100

DATED: October 3, 2023

UNITED STATES OF AMERICA  
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**BRIEF IN SUPPORT OF MOTION TO FILE PORTIONS OF  
SENTENCING MEMORANDUM UNDER RESTRICTED ACCESS**

As this Court has recognized, *see*, R. E. 78, Order, Page ID # 626, it is appropriate for a defendant to file his or her sentencing memorandum “as a public submission,” but to “seek leave of court to file under restricted access any portions that contain protected or confidential information, or sensitive personal data (social security and tax identification information, names of minor children, dates of birth, financial account numbers, home addresses, medical history, mental health history, and any assistance, if applicable).”

This is precisely what undersigned counsel has done here, and the government does not dispute that it would be an appropriate exercise of the Court’s unquestioned discretion in the premises to grant the relief sought. If the Court grants the motion in support of which this memorandum is written, the great majority of the defendant’s

sentencing memorandum will be available as a public document, and access restricted to only those relatively brief portions which have the potential to cause harm to defendant or his family: less than two of 36 pages of the memorandum itself, and one exhibit, a letter from Mr. Brown's therapist.

Respectfully submitted,

s/Mark J. Kriger  
Attorney for Vincent Brown  
LARENE & KRIGER, P.L.C.  
645 Griswold Street, Suite 1717  
Detroit, Michigan 48226  
(313) 967-0100

DATED: October 3, 2023

### **CERTIFICATE OF SERVICE**

I hereby certify that on October 3, 2023 I electronically filed the foregoing paper with the Clerk of the Court using the ECF system, which will send notification of such filing to all counsel of record, and served a copy on the defendant by email.

s/ Mark J. Kriger  
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